

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Newport News Division

UNITED STATES OF AMERICA

v.

Criminal No.: 4:23-cr-054

TERRANCE LEONARD VICK,

Defendant.

**DEFENDANT'S MOTION AND BRIEF IN SUPPORT TO MODIFY
ORDER SETTING CONDITIONS OF RELEASE**

NOW COMES the Defendant, Terrance Leonard Vick (the "Defendant"), by counsel, and respectfully moves this Court for entry of an order modifying His conditions of release. In support of His motion, the defendant states the following:

1. On October 12, 2023, this Court set Initial Conditions of Release as to Mr. Vick (Doc. 287).
2. This Court approved a modification to his Conditions of Release, consisting of a move from Virginia to Georgia and change in Third Party Custodian (the "TPC"), on February 16, 2024, to the geographic area where Mr. Vick was living prior to his arrest.
3. Mr. Vick has been living with a friend, Ashley Macintosh, TPC, since his move to Georgia and has been fully compliant with his conditions of release.
4. Mr. Vick's son is in his Senior year of High School and Mr. Vick would greatly appreciate being able to reside closer to his son through his sentencing date in October.

5. Mr. Vick's son recently transferred to a different High School, and Mr. Vick has been mentoring and assisting his son through his Senior Year of High School as best he can under the conditions.
6. Further, the current TPC and Mr. Vick have not lived together before and are apparently incompatible for a long-term situation, as the TPC appears frustrated due to the lack of space and privacy, creating a tense atmosphere.
7. Shameka Harris is the mother of Mr. Vick's son, and is willing to be a Third-Party Custodian, to stay with Mr. Vick, should this court approve this move, and is familiar with Mr. Vick such that their living situation would be more palatable.
8. Mr. Vick has voluntarily and timely returned to Virginia for all court appearances and has fully complied with his conditions of bail.
9. Counsel has corresponded with Ms. M. Childress, U.S. Probation Officer for the Eastern District of Virginia, who does not object, understanding that this would be the last request without objection.
10. Counsel has also spoken with Probation in Georgia, who is aware of the request to move, and will follow whatever order this Court deems necessary and proper.
11. Counsel has conferred with Assistant United States Attorney Eric Hurt, who does not object.
12. Counsel requests that his Bail Conditions be amended or stricken to permit Mr. Vick travel and residence in Georgia at 305 Collins Industrial Way, Apt. 1016, Lawrenceville, GA 30043, with Ms. Harris as TPC.

Law and Argument

Pursuant to 18 U.S.C. § 3145(a)(2) a defendant may file a motion for amendment of the conditions of release, which shall be determined promptly. This Court has original jurisdiction over the offense and is proper to hear this motion.

For the reasons stated above, the Defendant makes this request.

Requested Relief

WHEREFORE, the Defendant, by counsel, moves this Court for entry of an Order modifying the conditions of release.

I ask for this:

_____/s/
Brian M. Latuga, Esquire
VSB #86300
WOLCOTT RIVERS GATES
200 Bendix Road, Suite 300
Virginia Beach, VA 23452
Telephone: 757.497.6633
Facsimile: 757.497.7267
E-mail: blatuga@wolriv.com
Counsel for Defendant Terrance Vick

CERTIFICATE OF SERVICE

I hereby certify on the 21st day of May, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send a notification of such filing (NEF) to all counsel of record.

With courtesy copy e-mailed to:

Margaret Childress, US Probation Officer

By E-mail

_____/s/_____
Brian M. Latuga, Esquire
VSB #86300
WOLCOTT RIVERS GATES
200 Bendix Road, Suite 300
Virginia Beach, VA 23452
Telephone: 757.497.6633
Facsimile: 757.687.3655
E-mail: blatuga@wolriv.com
Counsel for Defendant Terrance Vick